

03-2207

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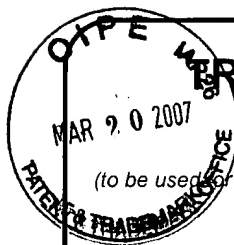
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PTO/SB/21 (08-03)

Approved for use through 08/30/03. OMB 0651-0031

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

28

Application Number

09/406,473

Filing Date

September 27, 1999

First Named Inventor

Stephen D. Pacetti

Group Art Unit

3763

Examiner Name

Loan H. Thanh

Attorney Docket Number

50623.00008

ENCLOSURES (check all that apply)

- ☒ Deposit Account 07-1850 Authorization
- ☒ Postage Paid Return Postcard
- ☐ Response To Office Action
- ☐ Amendment Transmittal Letter (in duplicate)
- ☐ Statement of Common Ownership
- ☒ Petition for Extension of Time (2 months) (in duplicate)
- ☐ Information Disclosure Statement (___ pages) (in duplicate) with Form PTO-1449 (___ pages) citing ___ References
- ☒ Express Mail Label No. EV 721161974 US
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s) In/Formal ___ Sheets with Submission of Drawings Transmittal
- ☐ Issue Fee Transmittal with PTO-85b (in duplicate)
- ☐ Request for Continued Examination (RCE) Transmittal (1 page) (in duplicate)
- ☒ Fee Transmittal (1 page) (in duplicate)
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☒ Appeal Brief (23 pages)
- ☐ Notice of Appeal (in duplicate)
- ☐ Reasons For Request of Pre-Appeal Brief Review
- ☐ Request for Status of Application
- ☐ Other:

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual nameSquire, Sanders & Dempsey L.L.P.
Mark Lupkowski, Ph.D., Reg. No. 49,010

Signature

Date

March 20, 2007

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: March 20, 2007

Typed or printed name

Rebecca M. Klits

Signature

Date

March 20, 2007

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Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 950.00

Complete if Known

Application Number	09/406,473
Filing Date	September 27, 1999
First Named Inventor	Stephen D. Pacetti
Examiner Name	Loan H. Thanh
Art Unit	3763
Attorney Docket No.	50623.00008

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None Order

☒ Deposit Account:

Deposit Account Number: 07-1850

Deposit Account Name: Squire, Sanders & Dempsey L.L.P.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1001	300		2001	150	Utility filing fee	
	1002	200		2002	100	Design filing fee	
	1003	200		2003	100	Plant filing fee	
	1004	300		2004	150	Reissue filing fee	
	1005	200		2005	100	Provisional filing fee	
SUBTOTAL (1)							(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: - ** = Extra Claims = Fee from below = Fee Paid =

Independent Claims: - ** = Extra Claims = Fee from below = Fee Paid =

Multiple Dependent: X = Fee Paid =

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1202	50		2202	25	Claims in excess of 20	
	1201	200		2201	100	Independent claims in excess of 3	
	1203	360		2203	180	Multiple dependent claim, if not paid	
	1204	200		2204	100	** Reissue independent claims over original patent	
	1205	50		2205	25	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)							(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1051	130		2051	65	Surcharge - late filing fee or oath	
	1052	50		2052	25	Surcharge - late provisional filing fee or cover sheet.	
	1053	130		1053	130	Non-English specification	
	1801	790		2801	395	Request for continued examination (RCE)	
	1804	920*		1804	920*	Requesting publication of SIR prior to Examiner action	
	1805	1,840*		1805	1,840*	Requesting publication of SIR after Examiner action	
	1251	120		2251	60	Extension for reply within first month	
	1252	450		2252	225	Extension for reply within second month	450
	1253	1,020		2253	510	Extension for reply within third month	
	1254	1,590		2254	795	Extension for reply within fourth month	
	1255	2,160		2255	1,080	Extension for reply within fifth month	
	1401	500		2401	250	Notice of Appeal	
	1402	500		2402	250	Filing a brief in support of an appeal	500
	1403	1,000		2403	500	Request for oral hearing	
	1451	1,510		1451	1,510	Petition to institute a public use proceeding	
	1452	500		2452	250	Petition to revive - unavoidable	
	1453	1,500		2453	750	Petition to revive - unintentional	
	1501	1,370		2501	685	Utility issue fee (or reissue)	
	1502	490		2502	245	Design issue fee	
	1503	660		2503	330	Plant issue fee	
	1460	130		1460	130	Petitions to the Commissioner	
	1807	50		1807	50	Processing fee under 37 CFR 1.17 (q)	
	1806	180		1806	180	Submission of Information Disclosure Stmt	
	8021	40		8021	40	Recording each patent assignment per property (times number of properties)	
	1809	790		2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
	1810	790		2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
	1801	790		2801	395	Request for Continued Examination (RCE)	
	1311	200		2311	100	Patent Examination Fee	
Other fee (specify)							
*Reduced by Basic Filing Fee Paid							
SUBTOTAL (3)							(\$) 950.00

SUBMITTED BY

Name (Print/Type)	Mark Lupkowski, Ph.D.	Registration No. (Attorney/Agent)	49,010	Telephone	(415) 954-0297
Signature				Date	March 20, 2007

Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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